

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-1861

LAUREN MEEKS,

Plaintiff - Appellee,

versus

MORRIE FRIEDMAN,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Charleston. Patrick Michael Duffy, District Judge. (CA-03-2867-2-23)

Submitted: February 28, 2005

Decided: April 26, 2005

Before LUTTIG, WILLIAMS, and MICHAEL, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Robert S. Bailey, Chicago, Illinois, for Appellant. Walter J. Kruger, III, LAW OFFICES OF WALTER J. KRUGER, III, Atlanta, Georgia, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Morrie Friedman appeals the district court's order entering default judgment against him, as well as the court's rulings from the bench denying his motion to vacate the entry of default and directing him to post bond as a condition to presenting damages evidence.

This court reviews a district court's decision whether to enter a default judgment for an abuse of discretion. Consol. Masonry & Fireproofing, Inc. v. Wagman Constr. Corp., 383 F.2d 249, 251 (4th Cir. 1967). We have reviewed the record and conclude that the district court did not abuse its discretion in denying Friedman's motion to set aside the entry of default and entering default judgment against him.

Friedman also appeals the district court's order directing him to post bond in order to present evidence on damages. Because Friedman failed to contemporaneously raise an objection to the bond requirement before the district court, this court reviews the district court's actions for plain error. See United States v. Olano, 507 U.S. 725, 732-34 (1993). Here, even if we were to assume that requiring Friedman to post bond was erroneous, Friedman has failed to demonstrate that the error affected his substantial rights, so he cannot establish plain error. See id.

Accordingly, we affirm the district court's order. We deny Friedman's motion to strike portions of Meeks' brief. We

dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED